

## Message Text

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C O N F I D E N T I A L STATE 124526

LIMDIS FROM EUR/EE

E.O. 11652: GDS

TAGS: SHUM, CZ

SUBJECT: HUMAN RIGHTS: COUNTRY ACTIONS PLANS

1. THE DEPARTMENT HAS RECENTLY INSTITUTED A BROADSCALE EFFORT, LED BY THE DEPUTY SECRETARY, TO IMPLEMENT THE ADMINISTRATION'S HUMAN RIGHTS POLICY AS EFFECTIVELY AS POSSIBLE IN THE FULL RANGE OF U.S. DIPLOMATIC ACTIVITIES. THIS EFFORT, WHICH IS TO INVOLVE ALL RELEVANT BUREAUS OF THE DEPARTMENT AND ALL U.S. POSTS ABROAD, IS PREMISED UPON THE COMPREHENSIVE STATEMENT OF POLICY SET FORTH IN THE SECRETARY'S LAW DAY SPEECH AT ATHENS, GA., ON APRIL 30, TEXT OF WHICH POSTS HAVE RECEIVED.

2. ONE OF THE PRINCIPAL COMPONENTS OF THIS BROAD IMPLEMENTATION EFFORT IS THE DEVELOPMENT OF SPECIFIC PROPOSED COURSES OF ACTION WITH RESPECT TO EACH COUNTRY. THESE INDIVIDUAL COUNTRY ACTION PLANS ARE TO ENABLE US  
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TO DETERMINE WHERE WE SHOULD CONCENTRATE OUR ATTENTION.

3. POSTS WILL SOON BE RECEIVING A CIRCULAR CABLE, BEING COORDINATED BY S/P AND THE OFFICE OF THE DEPARTMENT'S COORDINATOR FOR HUMAN RIGHTS (D/HA), WHICH IS TO PROVIDE

"QUESTIONS AND ANSWERS" ON HUMAN RIGHTS AND OTHER BACKGROUND INFORMATION, AND WHICH ALSO WILL REQUEST ALL POSTS TO PROVIDE SPECIFIC RECOMMENDATIONS ON HOW THE U.S. CAN HELP PROMOTE HUMAN RIGHTS IN THE HOST COUNTRY OR WORK

WITH THE HOST COUNTRY TO FURTHER HUMAN RIGHTS ELSEWHERE.

4. IN THE MEANTIME, EUR AND ALL OTHER REGIONAL BUREAUS HAVE BEEN REQUESTED TO DRAW UP INDIVIDUAL COUNTRY ACTION PLANS FOR EACH COUNTRY COVERED BY THE BUREAU. THESE PLANS ARE TO DESCRIBE THE CURRENT CONDITION OF HUMAN RIGHTS, THE EXTENT OF VIOLATIONS, THEIR FREQUENCY AND INTENSITY, AND THE POLICIES AND ATTITUDES OF THE HOST GOVERNMENT. THE PLANS, WHICH ARE TO INCORPORATE SUGGESTIONS FROM THE FIELD, ARE TO INCLUDE SPECIFIC RECOMMENDATIONS FOR U.S. ACTION DURING THE NEXT SIX MONTHS AND SHOULD BE UPDATED EVERY SIX MONTHS, OR MORE FREQUENTLY, IF NEW DEVELOPMENTS SO REQUIRE. THE DEPUTY SECRETARY HAS REQUESTED THAT THE ACTION PLANS PAY PARTICULAR ATTENTION TO PROPOSING POSITIVE WAYS TO FOSTER HUMAN RIGHTS.

5. EUR/EE HAS PREPARED INITIAL DRAFT ACTION PLANS FOR EACH OF OUR COUNTRIES, BASED ON INFORMATION AVAILABLE HERE AND FOLLOWING A STANDARD FORMAT WHICH HAS BEEN DISTRIBUTED THROUGHOUT THE DEPARTMENT BY D/HA FOR THIS PURPOSE. (SEPTTEL WILL PROVIDE TEXT OF THIS STANDARD FORMAT FOR YOUR INFORMATION AND USE.) TEXT OF OUR DRAFT PLAN, WHICH IS PRELIMINARY AND DOES NOT RPT NOT HAVE EUR SIXTH FLOOR CLEARANCE, FOLLOWS.

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6. ACTION REQUIRED. WE REQUEST EMBASSY'S ADDITIONS AND COMMENTS ON DRAFT PLAN, AND -- MOST IMPORTANTLY -- SUGGESTIONS FOR ACTIONS WE CAN EFFECTIVELY UNDERTAKE BILATERALLY DURING THE COMING SIX MONTHS AND BEYOND. SINCE WE ARE WORKING UNDER A VERY TIGHT DEADLINE, WE WILL REQUIRE POST'S RESPONSE NO LATER THAN OPENING OF BUSINESS ON FRIDAY, JUNE 3.

7. BEGIN DRAFT TEXT:

A. CONDITION OF HUMAN RIGHTS IN CZECHOSLOVAKIA

1. INTEGRITY OF THE PERSON: COMPARED TO THE SITUATION IN OTHER EE COUNTRIES, CZECHOSLOVAKIA'S CURRENT POLITICAL SYSTEM AND IDEOLOGICAL ORIENTATION IS THE LEAST CONSONANT WITH THE HISTORY AND TRADITIONS OF ITS PEOPLES. SINCE 1948, SUCCESSIVE LEADERSHIPS HAVE HAD TO BE REPRESSIVE IN THEIR EFFORTS, AS YET UNSUCCESSFUL, TO DISPLACE THE POPULAR COMMITMENT TO THE SANCTITY OF THE

INDIVIDUAL WITH DEDICATION TO THE COLLECTIVE.

WHILE EXTREME FORMS OF REPRESSION SUCH AS TORTURE OR INHUMAN PUNISHMENT ARE APPARENTLY AVOIDED, THE INDIVIDUAL CAN BE SUBJECTED TO ARBITRARY ARREST AND

DETENTION, A THOROUGHLY POLITICIZED JUDICIAL SYSTEM, AND OTHER FORMS OF HARRASSMENT OR INFRINGEMENT OF RIGHTS. SUCH ACTS ARE NOT NUMEROUS OR FREQUENT; NEVERTHELESS THE REGIME'S POTENTIAL USE OF THESE METHODS CAN ONLY BE VIEWED AS INCONSISTENT WITH INDIVIDUAL INTEGRITY AND LIBERTY.

2. CIVIL AND POLITICAL LIBERTIES:

(A) FREEDOM OF THOUGHT, ASSEMBLY AND RELIGION. THESE FREEDOMS ARE CIRCUMSCRIBED UNDER THE CZECHOSLOVAK COMMUNIST REGIME. WHILE THE VAST MAJORITY CAN ATTEND CHURCH, CONFIDENTIAL

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FOR EXAMPLE, OVERACTIVE RELIGIOUS DEDICATION CAN BE PUNISHED, USUALLY BY ECONOMIC SANCTIONS SUCH AS LOSS OF JOB. FREEDOM OF THOUGHT AND EXPRESSION ARE SEVERELY LIMITED BY CONTROLLED ACCESS TO OPEN OR FACE MEDIA AND BY RESTRICTIONS ON ASSEMBLY.

( B) THERE ARE VIRTUALLY NO OFFICIAL RESTRICTIONS ON MOVEMENT WITHIN THE COUNTRY, ALTHOUGH THE REQUIREMENT THAT CITIZENS POSSESS AN IDENTITY DOCUMENT PERMITS THE AUTHORITIES TO KEEP TRACK OF AN INDIVIDUAL'S WHEREABOUTS. TRAVEL OUTSIDE OF THE WARSAW PACT COUNTRIES IS LIMITED; FREEDOM OF EMIGRATION TO THE WEST IS SEVERELY RESTRICTED.

(C) DEMOCRATIC PROCESSES EXIST IN THEORY; THE RIGHT TO VOTE AND SECRECY OF THE BALLOT ARE GUARANTEED. EACH INDIVIDUAL IS REPRESENTED IN THE LEGISLATURE. IN FACT, PARTICIPATION IS GUIDED, EXPLOITED OR DISTORTED TO INSURE THE CONTINUATION OF THE COMMUNIST PARTY'S CONTROL. PLURALISM AS WE KNOW IT DOES NOT EXIST, ALTHOUGH FRAGMENTATION OF POWER WITHIN THE PARTY AND BETWEEN GOVERNMENTAL AGENCIES MIGHT GIVE THE INDIVIDUAL SOME FORM OF PROTECTION. THE SECURITY APPARATUS, HOWEVER, STILL WIELDS CONSIDERABLE POWER.

3. SOCIAL RIGHTS: THE REGIME'S PROPAGANDA CLAIMS TO THE CONTRARY, A LACK OF POLITICAL RELIABILITY CAN RESULT IN DENIAL TO AN INDIVIDUAL OF ACCESS TO WELFARE AND EDUCATIONAL PROGRAMS. ACCESS TO HIGHER EDUCATION, FOR EXAMPLE, IS USUALLY FORECLOSED TO THE CHILDREN OF POLITICAL DISSIDENTS. IN GENERAL, HOWEVER, THE REGIME FOR IDEOLOGICAL REASONS AND FOR ITS POLITICAL SURVIVAL,

DOES MAKE A CONSCIOUS EFFORT TO RELIEVE POVERTY AND TO PROVIDE HEALTH, EDUCATIONAL AND OTHER SOCIAL SERVICES AT MINIMAL COST. LOW-LEVEL CORRUPTION IS PREVALENT, CONFIDENTIAL

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AND BRIBES ARE OFTEN REQUIRED TO OBTAIN GOOD MEDICAL TREATMENT, FOR EXAMPLE.

4. THE GOVERNMENT'S RESPONSIBILITY: THE LEADERSHIP IS INDEED RESPONSIBLE FOR THE FOREGOING SITUATION, AND WOULD FREELY ADMIT TO HAVING A CONCEPT OF HUMAN RIGHTS DIFFERENT FROM OURS AND REQUIRING MEASURES TO ERADICATE "BOURGEOIS" TENDENCIES. THERE ARE NO DOUBT INSTANCES OF VIOLATIONS OF RIGHTS, HOWEVER, WHICH ARE UNDERTAKEN BY LOWER-LEVEL OFFICIALS WITHOUT THE KNOWLEDGE OR APPROVAL OF THE PARTY ELITE. THERE UNDOUBTEDLY ALSO ARE DIFFERENCES OF OPINION WITHIN THE LEADERSHIP REPRESENTING "HARDER" AND "SOFTER" VIEWPOINTS CONCERNING PARTICULAR COURSES OF ACTION.

5. THE GOVERNMENT OF CZECHOSLOVAKIA WOULD BE ABSOLUTELY OPPOSED TO ANY INDEPENDENT OUTSIDE INVESTIGATION OF THE HUMAN RIGHTS SITUATION.

#### B. ANALYSIS AND RECOMMENDATIONS

##### 1. LEGITIMATE US OBJECTIVES:

(A) EMIGRATION: IN TERMS OF IMPORTANCE, FEASIBILITY AND LEVERAGE, OUR NUMBER ONE OBJECTIVE MUST BE TO ENCOURAGE A POLICY OF FREER EMIGRATION, SPECIFICALLY FOR RELATIVES OF US CITIZENS AND RESIDENTS. THIS IS AND WILL CONTINUE TO BE OUR PRIMARY OBJECTIVE FOR THE FORESEEABLE FUTURE. IT IS ONE AREA WHERE THE GOC SEEMS TO RECOGNIZE THE LEGITIMACY OF OUR CONCERN. OUR BEST OPTION FOR DEALING WITH THE ISSUE IS QUIET DIPLOMACY, COUPLED WITH OUR CSCE STRATEGY FOR BELGRADE AND BEYOND. THE US HAS FEW OTHER MEANS TO EXERT LEVERAGE.

(B) GREATER FREEDOM OF EXPRESSION: IN THE NEAR TERM, THIS APPLIES TO THE CHARTER 77 CIVIL RIGHTS MOVEMENT.  
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WE HAVE SPOKEN OUT PUBLICLY DEPLORING THE HARRASSMENT AND OTHER PERSECUTION OF DISSENTERS, AND IT IS CLEAR THAT THE REGIME IS SENSITIVE TO WESTERN CRITICISM. WE SHOULD NOW WORK THROUGH QUIET DIPLOMACY TO ENCOURAGE THE REGIME TO TAKE A MORE REASONABLE ATTITUDE TOWARDS POLITICAL EXPRESSION. ALTHOUGH OUR BILATERAL RELATIONSHIP IS COOL, WE SHOULD STILL MAKE CLEAR THAT CZECHOSLOVAKIA'S IMAGE IN THE US AFFECTS OUR ABILITY TO DO BUSINESS WITH THE CURRENT REGIME. THIS IS NOT A DEPARTURE FROM PAST POLICY, AND MUST BE DONE CONSISTENTLY IN THE FUTURE.

(C) ESTABLISH AN IMPROVED BILATERAL RELATIONSHIP:  
ALTHOUGH THIS IS NOT STRICTLY SPEAKING A HUMAN RIGHTS  
GOAL, IT IS A POLICY OBJECTIVE WHICH MUST BE REACHED  
IF WE ARE TO ATTAIN SUFFICIENT PRESENCE AND, THEREBY,  
INFLUENCE ON THE REGIME TO HAVE ANY LASTING EFFECT ON  
CZECHOSLOVAKIA'S HUMAN RIGHTS PERFORMANCE.

2. REACTION TO US HUMAN RIGHTS POLICY: THE REGIME  
CLEARLY BELIEVES THAT AN ACTIVE HUMAN RIGHTS POLICY IS  
DESIGNED TO SUBVERT THE SYSTEM. WE DO NOT HAVE A CLEAR  
INDICATION OF HOW OUR POLICY IS REGARDED BY OTHER  
ELEMENTS OF THE POPULATION. WE BELIEVE THAT THE CIVIL  
RIGHTS ACTIVISTS WELCOMED OUR US STATEMENT ON CHARTER  
77, ALTHOUGH THEY REALIZED IT COULD HAVE AT BEST ONLY  
INDIRECT AND MINIMAL INFLUENCE ON THE REGIME'S REPRESSIVE  
POLICIES. THE "MODERATES" IN THE PARTY AND GOVERNMENT,  
WHO ARE CURRENTLY LYING LOW BUT WHO MAY OFFER THE BEST  
CHANCE FOR AN IMPROVED SITUATION IN THE LONG RUN,  
MAY REGARD TOO EXTENSIVE OR VOCAL A US EFFORT TO IMPROVE  
CZECHOSLOVAKIA'S HUMAN RIGHTS RECORD AS COUNTERPRODUCTIVE  
IF IT FORCES THE LEADERSHIP TO LEAN TO A MORE ORTHODOX  
ANTI-WEST ATTITUDE IN SELF DEFENSE.

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3. THE HUMAN RIGHTS SITUATION IN CZECHOSLOVAKIA IS  
UNLIKELY TO IMPROVE SUBSTANTIALLY UNTIL THE REGIME  
FEELS SECURE ENOUGH TO PERMIT A GREATER DEGREE OF FREEDOM  
OF EXPRESSION, PARTICIPATION AND EMIGRATION. THIS  
WILL BE A LONG AND BY NO MEANS INEVITABLE PROCESS.  
INDEED, UNCERTAINTIES OVER WHO WILL SUCCEED BREZHNEV  
IN THE KREMLIN MAY BRING ABOUT AN EVEN FURTHER TIGHTENING  
AND REPRESSION IN THE NEAR TERM. US INFLUENCE ON THESE  
PROCESSES IS EXTREMELY LIMITED. NEVERTHELESS, CONTINU-  
ING TO QUIETLY MAKE CLEAR TO THE CZECHOSLOVAK LEADERSHIP  
THE IMPORTANCE WITH WHICH WE VIEW HUMAN RIGHTS IS OUR  
BEST METHOD FOR STRENGTHENING THE HAND OF MODERATES WHO  
WISH TO INCREASE CONTACT WITH THE WEST AND PURSUE A  
MORE HUMANE POLICY INTERNALLY.

4. THE HUMAN RIGHTS SITUATION DOES JUSTIFY US ACTION,  
AND A PATTERN OF QUIET DIPLOMATIC INITIATIVES IS  
CONSISTENT WITH OUR PURSUIT OF OTHER US INTERESTS, SUCH  
AS THE PROTECTION OF AMERICAN CITIZEN INTERESTS, THE  
ENCOURAGEMENT OF AUTONOMY AND LIBERALIZATION. TOO MUCH  
PUBLICITY TO OUR EFFORTS, HOWEVER, COULD PROVE COUNTER-  
PRODUCTIVE. WE CANNOT EXPECT RESULTS IF WE MAKE IT  
APPEAR THAT WE ARE PRESSURING THE LEADERSHIP; MORE  
ORTHODOX INTERNAL ELEMENTS AND THE SOVIETS THEMSELVES

WOULD ATTACK ANY POSITIVE RESPONSE AS "GIVING IN"

TO THE US. END DRAFT TEXT. VANCE

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